IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 12TH NOVEMBER 2007 / 21ST KARTHIKA 1929

Bail Appl..No. 6643 of 2007()

CR.NO.787/06 OF TALIPARAMBA POLICE STATION

PETITIONER

SAJI ZACHARIAS, S/O.THOMAS,
AGED 40 YEARS, ADVOCATE, TALIPARAMBA,
TALIPARAMBA P.O., KANNUR DISTRICT.

BY ADV. SRI.V.A.SATHEESH
SRI.V.T.MADHAVANUNNI

RESPONDENTS: COMPLAINANT

STATION HOUSE OFFICER, TALIPARAMBA
POLICE STATION, KANNUR DT., (CRIME NO.787/2006
IF TALIPARAMBA POLICE STATION, KANNUR DISTRICT),
REP. BY THE PUBLIC PROSECUTOR, HIGH COURT OF
KERALA AT ERNAKULAM.

BY PUBLIC PROSECUTOR SRI. JAI GEORGE

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 12/11/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R. BASANT, J.

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B.A.No. 6643 of 2007

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Dated this the 12th day of November, 2007

O R D E R

Application for anticipatory bail. The petitioner is an Advocate by profession. The crux of the allegations, it would appear, is that a suit has been filed in the name of a non-existent fictitious person. Crime has been registered. Investigation is in progress. The petitioner apprehends imminent arrest.

2. According to the learned counsel for the petitioner, there are certain disputes between the police and advocates in that locality. On account of such strain in their relationship, the police is attempting to vex and harass the petitioner by arresting and detaining him. In these circumstances it is prayed that anticipatory bail may be granted to the petitioner.

3. The learned Prosecutor, after taking instructions, submits that the petitioner has not been arrayed as an accused in C.C. 787 of 2006 of Taliparamba Police Station so far. The petitioner is not required to be arrested. He shall not be arrested.

If on any future date arrest of the petitioner is required, sufficient notice shall be given to the petitioner and no arrest shall be effected without prior orders of this court, submits the Prosecutor.

4. I accept the submissions of the learned Prosecutor. I take specific note of the undertaking of the learned Prosecutor that the petitioner shall not be arrested in Crime No.787 of 2006 of Taliparamba police station. Accepting the submissions and undertaking of the learned Prosecutor, this application is dismissed.

(R. BASANT)
Judge

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